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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/531,436

04/14/2005

Masanori Uga

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6901

27572 7590 01/14/2009  
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EXAMINER

SMITH, JOSHUA Y

ART UNIT

PAPER NUMBER

2419

MAIL DATE

DELIVERY MODE

01/14/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<p align="center"><b>Advisory Action</b> <b>Before the Filing of an Appeal Brief</b></p>	<p><b>Application No.</b> 10/531,436</p>	<p><b>Applicant(s)</b> UGA ET AL.</p>	
	<p><b>Examiner</b> JOSHUA SMITH</p>	<p><b>Art Unit</b> 2419</p>	

**--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

THE REPLY FILED 02 January 2009 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on \_\_\_\_\_. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

#### AMENDMENTS

3. ☒ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
- (a) ☒ They raise new issues that would require further consideration and/or search (see NOTE below);
- (b) ☐ They raise the issue of new matter (see NOTE below);
- (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: See Continuation Sheet. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.
6. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☒ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
- The status of the claim(s) is (or will be) as follows:
- Claim(s) allowed: \_\_\_\_\_.
- Claim(s) objected to: \_\_\_\_\_.
- Claim(s) rejected: 1-10,12-19,21 and 22.
- Claim(s) withdrawn from consideration: \_\_\_\_\_.

#### AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

#### REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:  
See Continuation Sheet.
12. ☐ Note the attached Information *Disclosure Statement*(s). (PTO/SB/08) Paper No(s). \_\_\_\_\_
13. ☐ Other: \_\_\_\_\_.

/Hassan Kizou/  
Supervisory Patent Examiner, Art Unit 2419

Continuation of 3. NOTE: The amendments of Claims 12 and 16 change the scope of the claims and require further consideration and/or search.

Continuation of 11. does NOT place the application in condition for allowance because: Applicants submit that in the Nakamichi reference, the processing unit 30 is provided all functions for calculating the shortest path and generating the routing table, including function of the LSDB search unit of Applicant's present invention (as shown in reference numeral 30 of FIG. 2 and [0052]-[0055] of Nakamichi), and, meanwhile, since Applicant's claimed invention includes a "link state database (LSDB) search unit that is provided in an interface...", it is obvious that the link state database (LSDB) search unit is not included in a RS (Route Server) of the Applicants' present invention to which the processing unit of Nakamichi corresponds. Examiner respectfully disagrees this is sufficient for the withdrawal of the rejections of Applicants' claims. Nakamichi teaches in paragraph [0053], and in FIG. 2, when a computer terminal is connected to an input-side router 11S (FIG. 2), a computer interface device 47 (FIG. 2) is provided, and, therefore, an input-side router 11S (FIG. 2) acts as an interface to a Transmission-side communication network (FIG. 2) for a computer terminal and acts as an interface to a Transferring router 11R (FIG. 2) for a computer terminal. Claims 12 and 16 do not contain limitations that clearly distinguish an "interface" of Claims 12 and 16 from an input-side router 11S (FIG. 2) that essentially acts as an interface to a Transmission-side communication network (FIG. 2) for a computer terminal and acts as an interface to a Transferring router 11R (FIG. 2) for a computer terminal.

Applicants also submit that the LSDB search unit of Applicants' invention is included in the interface and not in the RS, while in contrast, the LSDB search unit of Nakamichi is included in the processing unit (RS in the present invention) and not in the interface. Examiner respectfully disagrees this is sufficient for the withdrawal of the rejections of Applicants' claims. As discussed above, since an input-side router 11S of Nakamichi acts as an interface to a Transmission-side communication network for a computer terminal and acts as an interface to a Transferring router 11R for a computer terminal, and a processing unit 30 (FIG. 2 of Nakamichi) link state database 32a (FIG. 2 of Nakamichi) is located in an input-side router 11S, Nakamichi teaches the limitations "a link state database search unit that is provided in an interface" of Applicants' Claims 12 and 16.